

**5484. Adulteration and misbranding of olive oil. U. S. \* \* \* v. 18 Cans \* \* \* of Olive Oil. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 8174. I. S. No. 1561-m. S. No. E-821.)**

On March 12, 1917, the United States attorney for the Eastern District of Pennsylvania, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 18 cans of olive oil, consigned by T. Benedetto, Elizabeth, N. J., remaining unsold in the original unbroken packages at Chester, Pa., alleging that the article had been shipped on or about February 6, 1917, and transported from the State of New Jersey into the State of Pennsylvania, and charging adulteration and misbranding in violation of the Food and Drugs Act.

Adulteration of the article was alleged in the libel for the reason that cottonseed oil had been mixed and packed therewith so as to reduce and lower and injuriously affect its quality and strength, and had been substituted in part for olive oil.

Misbranding was alleged in substance for the reason that the labels of the article bore statements regarding said article and the ingredients and substances contained therein, to wit, "Finest Quality Olive Oil Extra Pure of Termini Imeresi Italy Sicilia—Italia Guaranteed Absolutely Pure," which were false and misleading in that they indicated that the article was Italian olive oil, when in fact it was not.

On April 4, 1917, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be destroyed by the United States marshal.

CLARENCE OUSLEY, *Acting Secretary of Agriculture.*